

HB 649: Advancing Equal Educational Opportunities for All Students in Maryland:
Please vote to OPPOSE this bill.

Dear Government, Labor & Elections Committee:

I am writing to respectfully **oppose HB 649**, concerning *Advancing Equal Educational Opportunities for All Students in Maryland*.

While the goal of ensuring high-quality education for all students is important, **HB 649 raises significant concerns regarding implementation, curriculum standards, and local control of educational policy**. The bill's broad language could create mandates that interfere with school districts' ability to design programs tailored to the unique needs of their communities.

Additionally, the legislation may place **unfunded obligations** on local districts, requiring new programs, reporting systems, or administrative oversight without providing the necessary resources. This could divert attention and funding from core educational priorities such as literacy, STEM education, and teacher support.

The bill also risks **overly prescriptive requirements** that could limit parental choice and the ability of schools to make professional judgments regarding curriculum and teaching methods. Effective education policies should balance equity goals with flexibility, allowing schools and teachers to respond to the needs of their students in a practical and evidence-based way.

Several parts of this bill are particularly concerning. "...THIS SUBTITLE: (1) IS AN EXERCISE OF THE POLICE POWER OF THE STATE FOR THE PROTECTION OF THE PEOPLE OF THE STATE; (2) MAKES THE COMMISSION A STATE EDUCATIONAL AUTHORITY UNDER THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT..." I disagree with making this Commission a "State Educational Authority under the Federal Family Educational Rights and Privacy Act". Maryland already has several Educational Authorities, including the MSEA (Maryland State Educational Association), the Maryland State Board of Education, the Accountability and Implementation Board, the Maryland Higher Education Commission and the Division of Early Childhood. All of these entities govern everything having to do with education, including having policies regarding discrimination of all types. Therefore, activities and actions under this Commission would be duplicitous and unnecessary and a waste of State funds at a time when Maryland is operating under a financial deficit. Maryland doesn't have any funds available for this Commission to operate.

Particularly troubling is the language that gives this Commission the right to file a civil action. "... THE COMMISSION MAY ELECT TO BRING A CIVIL ACTION ON THE COMMISSION'S OWN BEHALF...IF THE COMMISSION ELECTS TO BRING A CIVIL ACTION ON THE COMMISSION'S OWN BEHALF, THE COMMISSION SHALL GIVE NOTICE OF THE ELECTION TO ALL COMPLAINANTS AND RESPONDENTS...THE FILING OF A CIVIL ACTION UNDER THIS SECTION AUTOMATICALLY TERMINATES ANY PROCEEDING BEFORE THE COMMISSION BASED ON THE UNDERLYING COMPLAINT...IF THE COURT FINDS THAT A DISCRIMINATORY EDUCATIONAL PRACTICE OCCURRED, THE COURT MAY PROVIDE THE FOLLOWING REMEDIES: (1) ENJOINING THE DEFENDANT FROM ENGAGING IN THE DISCRIMINATORY EDUCATIONAL PRACTICE; (2) ORDERING APPROPRIATE AFFIRMATIVE RELIEF; (3) AWARDING COMPENSATORY DAMAGES; (4) ORDERING PUNITIVE DAMAGES, IF: (I) THE DEFENDANT IS NOT A GOVERNMENTAL UNIT OR POLITICAL SUBDIVISION...ORDERING ANY OTHER EQUITABLE RELIEF THAT THE COURT CONSIDERS APPROPRIATE. " Maryland already has other Educational Authorities that can and do bring legal action. This is redundant and unnecessary. Also, if a civil action is filed, then no investigation would be done under this Commission, because the civil action "automatically terminates any proceeding before the Commission". That is problematic. Also, this bill effectively orders a court to "provide affirmative relief, award compensatory damages, (and) order punitive damages...if the defendant is not a governmental unit or political subdivision..." So, only if the defendant is an individual or non-governmental business. Why would we not punish governmental units equally under the law? Regardless of that, this Commission does not have the power to order a court to provide any remedies whatsoever. The Commission does not have the legal right to *dictate* to the court how a defendant should be punished.

For these reasons, I respectfully urge you to **oppose HB 649** and promote educational excellence and opportunity while preserving local decision-making, fiscal responsibility, and instructional flexibility.

Thank you for your time and thoughtful consideration.

Respectfully,

Trudy Tibbals